

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE: WORLD TRADE CENTER LOWER  
MANHATTAN DISASTER SITE LITIGATION

21 MC 102 (AKH)  
(all actions identified in the Table previously  
submitted with the Notice of Motion filed  
August 2, 2007).

**SUPPLEMENTAL CERTIFICATION**  
**OF**  
**JOSEPH E. HOPKINS**

THIS DOCUMENT APPLIES TO ALL WORLD  
TRADE CENTER DISASTER SITE LITIGATION

I, JOSEPH E. HOPKINS, of full age, hereby certifies as follows:

1. I am a member of the Bar of the State of New Jersey and am a partner in the firm Patton Boggs LLP. I am admitted *pro hac vice* in the World Trade Center matters known as Consolidated Master Docket Numbers 21 MC 100 and 21 MC 102 pending before this Court.
2. I represent Defendants Tully Construction Co. Inc. and Tully Industries, Inc. (collectively "Tully") in the above captioned matters consolidated under *In re World Trade Center Lower Manhattan Disaster Site Litigation*, 21 MC 102 (AKH) ("*WTC Disaster Litigation*").
3. I submit this certification in further support of Tully's Motion to Transfer and/or Stay.
4. Tully has been named as a defendant by various plaintiffs in 21 MC 102 and now seeks to have those actions transferred to the 21 MC 100 docket or, in the alternative, to have the actions stayed as to Tully pending resolution of the appeal captioned *In Re: World*

*Trade Center Disaster Site Litigation* (06-5324-cv) (2d Cir) currently pending before the United States Court of Appeals for the Second Circuit.

5. On May 16, 2007, Plaintiffs' counsel submitted a unilateral letter to the Court requesting the transfer of 120 actions from 21 MC 100 to 21 MC 102. Attached as Exhibit A is a true and accurate copy of Plaintiffs' May 16, 2007 letter to the Court.

6. Attached as Exhibit B is a chart listing side-by-side the actions that Plaintiffs attempted to transfer from 21 MC 100 to 21 MC 102 by their May 16, 2007 letter and those actions initially brought in 21 MC 100 by Plaintiffs' counsel and then refiled (without permission) in 21 MC 102 (without the dismissal of the original actions still pending in 21 MC 100). The plaintiffs are the same.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.



JOSEPH E. HOPKINS  
Of PATTON BOGGS LLP

Dated: August 23, 2007